

**STATEMENT OF THE HONORABLE ED WHITFIELD  
CHAIRMAN, SUBCOMMITTEE ON ENERGY AND POWER**

**“The Role of the Nuclear Regulatory Commission in America’s Energy Future”**

**\*\*\* As Prepared for Delivery \*\*\***

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I am very pleased to have the opportunity to hear from the NRC Commissioners today to discuss this agency’s role in the development of reliable, affordable electricity in this country.

There is no question the NRC serves the central role of ensuring the safety and security of the nuclear power plants and nuclear materials necessary for providing 20% of our nation’s electricity needs – and doing so in a way that is the gold standard for safety experience.

Nuclear power will be an important part of our energy mix over the coming decades, but to ensure it remains part of that mix there are challenges that must be confronted, both on the front end and back end of nuclear development.

On the back end, we face the challenge of spent nuclear fuel and what to do about it. Currently, spent fuel produced by our commercial nuclear power plant fleet is accumulating at 75 sites in 33 states. There are some 65,000 tons of this fuel, growing by 2,000 tons per year, and stored on-site pending what was to be final disposition at the deep underground repository at Yucca Mountain, as required by law.

Pulling the plug on the Yucca Mountain development, as the Obama Administration wants to do, means there is no clear path for final disposition of the fuel, which means some states that may seek to develop nuclear power in the future are barred from doing so.

We are already seeing legal settlements between the government and nuclear power companies because the federal government has not met its obligation to take possession of the waste. These settlements are in excess of \$15 billion and could increase to as much as \$50 billion. Of course, we’ve already spent nearly \$15 billion in research behind and development of the Yucca project and pulling the plug now also wastes all of that money.

My home state of Kentucky and other states like California, Illinois, and Connecticut require that the federal government has a means of disposal before any new nuclear facilities can be built. For those who support nuclear power development, uncertainty in the disposal of spent fuel translates to uncertainty about the development of nuclear power overall.

While the NRC may not be the direct cause of this uncertainty – the Obama Administration’s policy is - the NRC’s actions will contribute to the uncertainty one way or another. Beyond open adjudicatory issues, the NRC has recently taken administrative action to close down its review of Yucca Mountain, which will deprive the public of the first independent government assessment of the merits of Yucca Mountain’s construction. That doesn’t bode well for a nuclear renaissance.

On the front end of nuclear power development, I'm very interested to hear about whether the NRC can develop and provide more regulatory certainty in its licensing and re-licensing programs. As in other energy sectors, regulatory certainty, such as keeping to decision schedules, is essential for ensuring the investments necessary to develop nuclear energy.

Additionally, I think it is worth reviewing the Commission's organizational structure, and whether an agency rightly focused on safety is suitably structured to also facilitate the advancement of new nuclear generation.

And connected with regulatory certainty, are clear and well developed safety engineering evaluations. As mentioned, the safety record of NRC is unparalleled. But recent events in Japan have raised questions in the public's mind about how well the NRC does its job. We need to be confident the NRC is up to the task. I believe the agency is, but scrutiny is helpful to maintain the public trust.

We do not want to overreact to events based on poor and faulty information or other political agendas. Nuclear power is critical to this nation. We should recognize its importance for a growing economy and not lose sight of the tremendous value a reliable, affordable power supply will mean for the future health and wealth of the United States.

I yield back the balance of my time.